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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q89815

Hirofumi NAKAMURA, et al.

Appln. No.: 10/547,330

Group Art Unit: 1632

Confirmation No.: 7031

Examiner: NOT YET ASSIGNED

Filed: September 1, 2005

For: TRANSGENIC PLANT HAVING FRUCTOOLIGOSACCHARIDE ACCUMULATED THEREIN AND PROCESS FOR CONSTRUCTING

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for U.S. patents and/or U.S. patent publications, together with a copy of a Supplementary European Search Report and Annex for counterpart European Application No. EP 04 71 6353 wherein the listed documents were cited.

The present Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits, and therefore no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

Applicant encloses herewith a copy of the communication from the European Patent Office in the counterpart application citing such documents, together with an English-language version of at least that portion of the communication indicating the degree of relevance found by the European Patent Office.

It is noted that one of the three references cited in the Supplemental European Search Report was previously cited in the Information Disclosure Statement of September 1, 2005, and thus is not being submitted again.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

INFORMATION DISCLOSURE STATEMENT  
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Attorney Docket No.: Q89815

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER

  
Joseph J. Ruch, Jr.  
Registration No. 26,377

Date: November 8, 2006

**INFORMATION DISCLOSURE**  
**STATEMENT BY APPLICANT**  
*(use as many sheets as necessary)*

Sheet	1	of	1
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Application Number	10/547,330
Confirmation Number	7031
Filing Date	September 1, 2005
First Named Inventor	Hirofumi NAKAMURA
Art Unit	1632
Examiner Name	NOT YET ASSIGNED
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Date Considered

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.